

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the arguments set forth fully below. Claims 1-83 were previously pending in this Application. Within the previous Office Action, Claims 1-83 have been rejected. By the above amendments, the new Claims 84 and 85 have been added. Accordingly, Claims 1-84 are now pending in the application.

Rejections Under 35 U.S.C. § 102

Within the previous Office Action, Claims 1-18 and 20-83 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,341,316 to Kloba et al. (hereinafter “Kloba”). The Applicant respectfully disagrees.

Kloba teaches a system, method, and computer program product for synchronizing content between a server and a client based on state information. Kloba teaches systems for enabling web content to be loaded on mobile devices, and for users of devices to operate with such web content on their mobile devices in an interactive manner while in an off-line mode. [Kloba, Abstract] Kloba teaches that the mobile device is placed into an adapter to synchronize a mobile client with a server. [Kloba, col. 5, lines 41-52] Kloba does not teach a middleware filter that filters the content and sends only filtered content to a device. Kloba merely teaches that *selected content* is sent to the mobile device during a synchronization process.

In contrast to the teachings of Kloba, the middleware filter agent of the presently claimed invention, *selectively filters the content provided by the content server* such that only selected content is provided to a first network device. A content server provides content to the first network device during a data synchronization between the two devices. The middleware filter selectively filters the content provided by the content server such that selected content is provided to the first network device. The middleware filter is preferably included within a second network device coupled between the content server and the first network device. In this manner, the second network device acts as a proxy for the first network device to receive the content provided by the content server. In an alternative embodiment, the content server is coupled to the first network device, without the second network device coupled in between. The middleware filter is included within the content server, and the content is selectively provided from the middleware filter, on the content server, to the first network device. As described above, Kloba does not teach a middleware filter that filters the content and sends only filtered content to a device. Kloba merely teaches that selected content is sent to the mobile device during a synchronization process.

Within the previous Office Action, it is asserted that the server 104 and providers 128 of Kloba correspond to the claimed middleware filter and content server, respectively. The claimed limitations are directed to a content server that stores content and to a middleware filter that receives content from the content server and selectively filters that received content, thereby resulting in filtered content. The filtered content is then sent from the middleware filter to the first network device. Within the Response to Arguments section, col. 14, lines 46-50 of Kloba is cited and it is concluded that this section of Kloba teaches “filtering content and sending only the filtered content by sending changed objects.” As the claimed middleware filter receives content and selectively filters that content to form filtered content, it is concluded that since the server 104 corresponds to the middleware filter, the server 104 of Kloba receives content and selectively filters that content to form filtered content. However, this conclusion is not supported by the cited portion of Kloba.

The cited column 14, lines 46-50 of Kloba provides:

[i]n step 202, top level resources that server 104 needs to fulfill client 108's request are identified by server 104. For example, if client 108 is requesting a full synchronization, server 104 will identify any changed objects from providers 128 and send them to client 108.

There is no indication that all objects associated with a given channel are sent to the server 104, and that the server 104 then filters those objects to form a set of only changed objects. Column 14, line 64 to column 15, line 2 of Kloba is also cited and it is then concluded that Kloba teaches “the server 104, which corresponds to the claimed middleware filter, receiving multiple objects and sending only objects that have changed to the client 108, which corresponds to the claimed first network device.” [Emphasis added] Again, this conclusion is not supported by the cited portion of Kloba.

The cited column 14, lines 64 to column 15, line 2 of Kloba provides:

[i]n step 208, the objects retrieved in the preceding steps are compared with the objects already cached on device 106. Server 104 determines the set of changes that have occurred between the retrieved objects and the objects already cached on device 106 in step 210. Only the set of changes determined in step 210 are transmitted to device 106.

As with the previous citation, there is no indication that all objects associated with a given channel are sent to the server 104, and that the server 104 then filters those objects to form a set

of only changed objects. The above citations merely indicate that the server 104 “identifies” any changed objects, and that the server 104 sends those identified objects to the client 108. This begs the question, is the selective filtering of the changed objects from the set of all objects for a given channel occurring at the server 104 or at the providers 128? Kloba teaches that the server 104 functions merely as a pass-through device, functioning as an interface to the data provided by the providers 128. Column 7, line 66 to column 8, line 5 of Kloba teaches:

During a synchronization process, the server 104 loads a device 108 with the channels associated with the client 108. Generally, the server 104 does this by obtaining from providers 128 the objects defined by the channels, and causing those objects to be stored on the client 108. Thus, during the synchronization process, the server 104 will load the client 108 with the selected channels. More particularly, the server 104 will load the client 108 with the objects associated with the channels. [Emphasis added]

Again, there is no indication that all objects for a given channel are loaded onto the server 104, and that the server 104 then selectively filters the objects to form filtered content (changed objects). The implication is that the server 104 determines what filtered content (changed objects) are to be sent from the providers 128 to the client 108 (via the server 104), but the actual objects (claimed content to be filtered) for the entire channel are not sent to the server 104.

In general, Kloba teaches a conventional data synchronization process where only data that is new or changed from the data already stored on a client is transmitted, thereby “synching” the client data to the source data. In this sense, the process of Kloba performs a single filtering process. In contrast, the claimed network and method implement a double filtering process. First is the conventional data synchronization step where the content server determines updated or new content to be sent to the client. Second is the further filtering of that determined content data, where this further filtering is performed by the middleware filter. This further filtering is performed on the actual data sent as part of the first filtering step (data synchronization). The actual data is physically received at the middleware filter, where it is selectively filtered to form filtered content.

Specifically, the independent Claim 1 is directed to a network of devices to filter synchronized data. The network of devices of Claim 1 comprises a content server to store content, a first network device and a middleware filter coupled to the first network device and to the content server such that during a data synchronization, *content is received by the middleware filter from the content server* according to the data synchronization and the *middleware filter is programmed to selectively filter the content resulting in filtered content* and send only the filtered content to the first network device. As described above, Kloba does not teach *content is received*

by the middleware filter from the content server, filtering the content and sending only filtered content to a device. Kloba merely teaches that *selected content* is sent from a content provider 128, through the server 104, and to the client device 106 during a synchronization process. For at least these reasons, the independent Claim 1 is allowable over the teachings of Kloba.

Claims 2-18 are all dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Kloba. Accordingly, Claims 2-18 are all also allowable as being dependent on an allowable base claim.

The independent Claim 20 is directed to a network of devices to filter synchronized data. The network of devices of Claim 20 comprises a content server to store content, a personal digital assistant and a personal computer coupled to the personal digital assistant and to the content server, wherein the personal computer includes a middleware filter programmed such that during a data synchronization, *content received by the personal computer* from the content server according to the data synchronization is *selectively filtered according to the middleware filter resulting in filtered content*, wherein only filtered content is sent to the personal digital assistant by the personal computer. As described above, Kloba does not teach *content is received by the middleware filter from the content server, filtering the content and sending only filtered content* to a device. Kloba merely teaches that *selected content* is sent from a content provider 128, through the server 104, and to the client device 106 during a synchronization process. For at least these reasons, the independent Claim 20 is allowable over the teachings of Kloba.

Claims 21-33 are all dependent on the independent Claim 20. As described above, the independent Claim 20 is allowable over the teachings of Kloba. Accordingly, Claims 21-33 are all also allowable as being dependent on an allowable base claim.

The independent Claim 34 is directed to a method of filtering synchronized data. The method of Claim 34 comprises determining content to be sent from a content server to a first network device during a data synchronization, *sending the content from the content server to a second network device* coupled between the content server and the first network device, wherein the second network device includes a *middleware filter, selectively filtering the content* according to the middleware filter and sending the filtered content from the second network device to the first network device. As described above, Kloba does not teach *content is received by the middleware filter from the content server, filtering the content and sending only filtered content* to a device. Kloba merely teaches that *selected content* is sent from a content provider 128, through the server 104, and to the client device 106 during a synchronization process. For at least these reasons, the independent Claim 34 is allowable over the teachings of Kloba.

Claims 35-50 are all dependent on the independent Claim 34. As described above, the independent Claim 34 is allowable over the teachings of Kloba. Accordingly, Claims 35-50 are all also allowable as being dependent on an allowable base claim.

The independent Claim 51 is directed to a method of filtering synchronized data. The method of Claim 51 comprises determining content to be sent from a content server to a first network device during a data synchronization, wherein the content server includes a middleware filter, *selectively filtering the determined content* according to the *middleware filter* and *sending the filtered content* from the content server to the first network device. As described above, Kloba does not teach *content is received by the middleware filter from the content server, filtering the content* and *sending only filtered content* to a device. Kloba merely teaches that *selected content* is sent from a content provider 128, through the server 104, and to the client device 106 during a synchronization process. For at least these reasons, the independent Claim 51 is allowable over the teachings of Kloba.

Claims 52-65 are all dependent on the independent Claim 51. As described above, the independent Claim 51 is allowable over the teachings of Kloba. Accordingly, Claims 52-65 are all also allowable as being dependent on an allowable base claim.

The independent Claim 66 is directed to an apparatus to filter synchronized data wherein the apparatus includes a middleware filter programmed such that during a data synchronization, *content is received by the apparatus from a content server* according to the data synchronization and the *received content is selectively sent* to a network device by the apparatus according to the middleware filter. As described above, Kloba does not teach *content is received by the middleware filter from the content server, filtering the content* and *sending only filtered content* to a device. Kloba merely teaches that *selected content* is sent from a content provider 128, through the server 104, and to the client device 106 during a synchronization process. For at least these reasons, the independent Claim 66 is allowable over the teachings of Kloba.

Claims 67-82 are all dependent on the independent Claim 66. As described above, the independent Claim 66 is allowable over the teachings of Kloba. Accordingly, Claims 67-82 are all also allowable as being dependent on an allowable base claim.

The independent Claim 83 is directed to an apparatus for filtering synchronized data. The apparatus of Claim 83 comprises means for determining content to be sent from a content server to a first network device during a data synchronization, means for *sending the content from the content server to a second network device* coupled between the content server and the first network device, wherein the second network device includes a middleware filter, means for *selectively filtering the content* according to the *middleware filter* and means for sending the

filtered content from the second network device to the first network device. As described above, Kloba does not teach *content is received by the middleware filter from the content server, filtering the content and sending only filtered content* to a device. Kloba merely teaches that *selected content* is sent from a content provider 128, through the server 104, and to the client device 106 during a synchronization process. For at least these reasons, the independent Claim 83 is allowable over the teachings of Kloba.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claim 19 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kloba.

Claim 19 is dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Kloba. Accordingly, Claim 19 is also allowable as being dependent on an allowable base claim.

For the reasons given above, the applicant respectfully submits that the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

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By: /Jonathan O. Owens/

Jonathan O. Owens
Reg. No. 37,902
Attorneys for Applicant(s)